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PAW PAW, VAN BUREN COUNTY, MICHIGAN, FRIDAY, JANUARY 7, 1910.

Whole Number 2585

PETITIONS ARE HELD INSUFFICIENT

Faculty Affidavit Throws Out Petition From Columbia and Leaves the Total Number of Petitioners Below Requirement of the Law.

BOARD DIVIDED ON QUESTION OF THE COLUMBIA PETITION

Yea and Nay Vote Taken. Board Stood 11 to 9 Against the Proposition. Will Probably go to the Supreme Court. Other Business Transacted in Detail.

The board of supervisors met in adjourned session at the court house last Monday morning. The entire board was present at roll call. The matter of the consideration of the local option petitions praying for another local option election was the most important business to be considered at this session, and the board proceeded at once to consideration of such question.

On motion, the chairman appointed the following committee to examine the petitions and report to the board Thursday afternoon at 2 o'clock: Supervisors Wiggins, Burger, Young, Gaynor and Payne.

The committee found on examination of the petitions that there were 2,751 names on the several petitions. Two hundred eighty-one of this number were stricken off for various reasons, chief among which was the fact that many had signed the petitions who were not registered voters in their respective precincts. Twelve of this number were taken off by written request filed with the county clerk.

Heretofore when the question of calling a local option election was before the board the petitions were compared with the various poll lists of the last preceding election. This time, however, recent decisions of the supreme court of the state of Michigan would seem to make it imperative that petitioners should in all cases be registered as legal voters in their voting precincts, and the committee in their examination of the several petitions proceeded on that basis.

The requisite number of petitioners to an election of a local option is 2,461. After taking off 218 as above reduced, it left 2,243 names, or 72 more than the requisite number of petitioners to call the election. But there were other points to be taken into consideration. There was some question as to the legality and sufficiency of the affidavits attached to the petitions from Keeler and Columbia. The matter was referred to the prosecuting attorney for his opinion on the points in question.

The prosecutor's opinion in substance is as follows:

"The question relating to the sufficiency of the affidavit of posting the Keeler township petition grows out of the following clause in the affidavit: 'One at Jolly's Corners east of Keeler.' Is this affidavit in the above particular too indefinite and too uncertain to be held a legal and sufficient affidavit? After quoting numerous authorities, the prosecutor concludes as follows: 'Based on my opinion upon the Oceana county case, I hold that the affidavit describing the most conspicuous places in which the Keeler township petition was posted is sufficient.'"

The other point in question was the sufficiency of the Columbia township affidavit. The prosecutor says in part as follows:

"I quote as follows from this affidavit: 'One at Berlaumont, one at Grand Junction and one at Breedsville, being three of the most conspicuous places in said township, ward or election district.' Is this a sufficient description of the most conspicuous places?"

After quoting many authorities from which to base an opinion, the prosecutor concludes as follows:

"In my judgment, it follows that the affidavit from Columbia township, purporting to describe the three most conspicuous places, is too indefinite, too uncertain and is not a legal and valid affidavit, and because of these defects, the petition from the township of Columbia should not be considered and the names of said petitioners appearing on said petition should not be counted."

The real "breakdown" of the session came off on Thursday afternoon when the matter of the disposition of the petitions came before the board. The committee reported in substance as follows:

That they had examined the petitions from the several townships and precincts and found them to contain a total of 2,233 legal petitioners and that with the possible exception of the township of Columbia, the affidavits attached to the several petitions were legal and sufficient. The point of contention in the Columbia township petition is fully set forth in Prosecuting Attorney Warner's opinion, the substance of which has already been given in this column.

Supervisor Gaynor of Columbia township offered a supplemental affidavit from the gentleman who had circulated the petition in said township, and who had posted copies of the same. The supplemental affidavit alleged that the petitioners were posted in Columbia township as follows:

One on front door of town hall, Breedsville.

One on front door of store at Berlaumont.

One on livery barn door at Grand Junction.

Supervisor Gaynor moved that the supplemental affidavit be attached to the original. The motion was supported by Supervisor Westgate, and then trouble commenced.

Prosecuting Attorney Warner was asked as to the legality of the supplemental evidence, and gave as his opinion that the board was bound by the original affidavit.

Attorneys T. J. Cavanaugh, Jas. E. Chandler and H. T. Cook argued the question in behalf of the petitioners. They discussed the question to some length and held that the original affidavit was sufficient and according to the statute, and further that the board had a right to accept the supplemental affidavit. Attorney L. H. Titus, Judge David Anderson and O. W. Rowland addressed the board in support of the prosecuting attorney's opinion and argument.

Supervisor Gaynor of Columbia township moved that the petition from his township be accepted. The motion was seconded by Supervisor Payne of the city of South Haven. A yea and nay vote was called for and resulted as follows: Yeas 9, nays 11. The motion was therefore declared lost. Supervisors voting yea were McAlpine, Danneffell, Wiggins, Gaynor, Squier, Conway, Benedict, Westgate and Payne—9.

Supervisors voting nay were Burger, Gault, Kennedy, Shaefer, Shattuck, Warner, Young, McFellin, Waldron, Cravens and Cleveland—11.

The original report of the committee was then accepted on motion of Supervisor McAlpine.

Supervisor Young then offered the following resolution and moved its adoption.

To the honorable board of supervisors: WHEREAS the petitions praying that an election be held in said county to determine whether or not the liquor traffic should be prohibited in said county and having examined the same, and having found the said petitions insufficient Therefore be it.

Resolved that the prayer of said petitioners be, and the same is, hereby denied.

The motion was seconded by Supervisor Gault and carried.

Supervisor Wiggins addressed the board to some length before the vote was taken and stated that while he was not in favor of a saloon and had in the past and should in the future do all in his power against them, yet he could not but feel that the board was making a mistake in taking the action it did in turning down the petitions. He was in favor of granting the prayer of the petitioners.

Following is a summary of the detail work of the board up to the time of going to press:

Probate Judge Anderson submitted his report on insane matters which was approved and accepted. It showed that since his last report last October there had been 22 persons adjudged insane in his court and sent to the asylum at Kalamazoo.

County Agent W. A. Prater extended a cordial invitation to the members of the board to spend Friday evening at his home. The invitation was accepted.

On motion Supervisors Wiggins and Conway were elected as delegates to the state supervisors association, and Supervisors McFellin and Squier were elected as alternates. The county clerk was authorized to draw an order for \$10 for the support of the association and also on presentation of an itemized statement of expenses of delegates to draw orders therefor.

Register of Deeds Mutchler came before the board and explained the necessity for a book type writing machine for his office. On motion of Supervisor Benedict the purchase of the machine was authorized at an expense of \$175. The motion of Supervisor McAlpine to lay the previous motion on the table was lost.

The annual report of the prosecuting attorney was read and accepted. The report shows that during the year 1909 the number of cases prosecuted was 328, number convicted 292, acquitted 9, nolle prosequi 17, dismissed on examination 3, escaped 6, discharged on payment of costs 1.

The matter of repairing the rotunda of the court house, which was made a

WILLIAM HOWARD TAFT



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President of the United States

CLOSE CALL FOR CAMPBELL DETAILS OF THE BUSINESS.

Sheriff and Deputy From Kalamazoo County Have Running Gun Fight With Desperate Horse Thief.

Sheriff Campbell and Deputy Knowles of Kalamazoo had rather an exciting chase after a horse thief last Saturday. A telephone message from the sheriff at Grand Rapids notified Sheriff Campbell that a team of horses had been stolen in that city and that they were headed towards Kalamazoo. Sheriff Campbell learned that the outfit had passed through the city earlier in the day, and he with Deputy Knowles started in pursuit. They came in sight of the rig in the vicinity of White Pigeon and a running fight lasted for several miles. Not until the thief had received a bullet in the hip from a 38 calibre revolver, a charge of shot in the side and had been knocked senseless from a blow with the butt-end of a gun, did the officers subdue and capture their man. Several bullets from the desperado's gun passed between Campbell and Knowles in the cutter, but they passed through the ordeal without a scratch.

The prisoner gave his name as George Sage, but the officers suspect that he is one Ezra Day, a well known and desperate character. He has been taken to Grand Rapids.

Matter of special business for Wednesday afternoon, was brought up, and the committee on county buildings made the following report which was accepted and adopted by the board:

To the Honorable Board of Supervisors:

Your committee on county buildings beg leave to report as follows:

The attention of your committee has been called to the condition of the rotunda in the court house, which has settled some. We have examined it and feel that there is no immediate danger at the present time. But if it should continue to settle, we would recommend that it be permanently repaired as the board of supervisors may direct. We would further recommend that all rents due on buildings belonging to the county be kept collected as fast as they become due.

JOHN MCALPINE,
H. ZEEDYK,
A. C. BENEDECIT,
MERLE H. YOUNG,
J. C. KENNEDY,
Committee.

On motion of Supervisor McAlpine, all agents for the burial of indigent soldiers were allowed the sum of \$2 in each case for such services.

Supervisor Zeedyk of South Haven was taken quite ill Wednesday and was obliged to go home.

Supervisors Benedict, Cleveland, Westgate, Conway, Squier, Gaynor and Shaefer went to Kalamazoo last Monday evening to see the performance of May Maunering at the Fuller theater. They returned on the early train Tuesday.

An interesting batch of post cards came to the supervisors last Tuesday morning. They were sent in care of the county clerk. The pictures and reading matter on some of them were intensely interesting and caused considerable hilarity when delivered and read. Of course, there is some suspicion as to who the sender was, but as far as can be learned nothing definite is known.

Transacted in Register of Deeds Office for Year 1909. \$2,503.97 in Fees Collected.

Few people of the county have any definite idea of the immense amount of business transacted in any of the county offices during a year. The following figures will give something of an idea of the details of business done in the register of deeds office during the year 1909. The total number of instruments recorded in that office during the year was 3,637, for which fees were collected and turned over to the county treasurer in the sum of \$2,503.97. Following is an itemized list of the different instruments recorded:

1770 deeds (warrantees, quit claims, etc.),
34 patents,
35 wills,
43 orders determining heirs,
36 affidavits,
30 decrees,
10 powers of attorney,
14 land contracts,
678 mortgages,
714 discharges of mortgages (including those of record and "marginal" discharges),
149 assignments of mortgages
10 levies,
5 attachments,
11 Lis Pendens,
9 mechanics' liens,
29 certified copies of records were made,
60 miscellaneous records not classified above (including plats, redemptions, etc.)

IN JUDGE MASON'S COURT.

Four more members of the order of S. O. R. took chances with the Paw Paw justice courts this week, and are now on a fast train for Detroit. William Gordon, Frank Stanford, George Brown and James Lucy were the names given by the arrested men, who all plead guilty to the charge of vagrancy in Justice Mason's court last Wednesday, and were sentenced to 60 days in the Detroit house of correction. Sheriff Chappell will leave with the prisoners today.

HUNTED RABBITS WITH FERRET.

Three men from Decatur had rather an expensive rabbit hunt the first of the week. Al Vanderburg, Neil King and Frank Hazard were arrested by Deputy Game Warden C. D. Leach on a charge of hunting rabbits with a ferret. They pled guilty to the charge in Justice Killefer's court last Wednesday, and paid a fine and costs of \$12.75 each. Ten dollars is the minimum fine for a violation of this statute. It is quite probable that the ferret will hereafter be left at home.

WEDDING BELLS WILL RING.

Invitations are out announcing the marriage of Miss Blanche Elizabeth Bartley to Herbert J. Dobb at the home of Mr. and Mrs. W. R. Sellick on the afternoon of Friday, January 14, at 3 o'clock. Miss Bartley is a sister of Mrs. Sellick and Mr. Dobb is the traveling freight agent for the New York Central lines. His home is in Seattle, Wash.

INSTALLATION OF OFFICERS

At G. A. R. Hall Last Saturday. Oyster Supper and Program Enjoyed by All.

Broadhead post and the women's relief corps held a joint installation of officers at their hall last Saturday afternoon. After the installation an oyster supper was served, after which the members listened to a thrilling account of the battle of Chancellorsville by Hon. B. F. Heckert. Music by Mrs. Leonard Crandall and songs by the old soldiers were enjoyed.

Following are the officers as installed: G. A. R.: P. O., W. R. Sirrine; S. V. C., A. J. Roundy; J. V. C., A. T. Foote; Chap., I. P. Bates; Q. M., Ira W. Hulbert; Aft., M. C. Wheaton; O. L., J. Reed; O. G., Wm. Sage; Q. M. S., B. O'Dell; Sgt., M. A. H. Folsom; Surgeon, Dr. Jackson; Sentinel, T. J. Chaffee.

W. R. C.: Pres., Lottie L. Foote; S. V. Pres., Ruth Harrington; J. V. Pres., Martha Wilson; Sec., Martha E. Smith; Treas., Mary McCon; Chap., Elizabeth Porter; Con., Mary E. Folsom; Guard, Mary A. Rowland; Pat. Inst., Caroline Smith; Press Cor., Ella Taylor; Musician, Mary A. Crandall; Asst. Con., Mary Alt; Asst. Guard, Kate M. Sage; U. B. No. 1, Mary V. Whitcomb; C. B. No. 2, Martha Bennett; C. B. No. 3, Georgetown Stearns; C. B. No. 4, Anna M. Reed.

NORWOOD HAS REO AGENCY

Popular Automobile Dealer has Agency for Van Buren Co. Prospects Never Better for Business.

C. A. Norwood has secured the agency for the celebrated Reo automobiles. His territory comprises the whole of Van Buren county and he intends to push the business when the time comes. He has already sold several machines and has other prospective customers in view.

He has one of the finest garages in southwestern Michigan and is well equipped to handle the business that is sure to come his way. The Reo is considered one of the best medium priced machines on the market and the coming year will probably see many of them used in the county.

Mr. Norwood was in Lansing, Jackson, South Haven and Hartford last week on automobile business.

TAKEN TO ANN ARBOR.

Marian, the ten-year-old daughter of Mr. and Mrs. John Mutchler, was taken quite seriously ill last week Friday. She got no better, and on Monday Dr. J. C. Maxwell, the attending physician, diagnosed the case as appendicitis. Dr. W. F. Hoyt was called in consultation on Wednesday morning, and an operation was deemed necessary. She was taken to Ann Arbor Wednesday forenoon; Dr. Maxwell and Mr. Mutchler accompanying her. A long distance telephone message from Mr. Mutchler, Thursday morning, states that Marian stood the journey to Ann Arbor well, and that the surgeons at the University hospital were not sure as yet whether or not an operation would be necessary. It is to be hoped that it will not.

CLOCKS HAVE STOPPED.

The "clock contest," which has been in progress at the various stores for several months, closed last week Thursday. The stores were crowded to suffocation by anxious ones, who expected to draw the big prize. Following are the final prize winners:

At the Charles drug store—
Mrs. F. N. Wakeman...Prize, \$10.00
At W. J. Warner's—
Mrs. W. V. Hain...Prize, \$5.00
Mrs. Hugh Walker...Prize, \$3.00
At H. C. Waters & Co.—
J. H. Darling...Prize, \$3.00
Charles Pike...Prize, \$3.00
The contest at Sellick's store closed two weeks ago and the final winners were announced in these columns last week.

DEATH OF HANNAH E. SEARLS.

Mrs. Hannah E. Searls, aged 75 years, died last Friday at the home of her daughter, Mrs. Chas. L. Fitch, 55 North Union street, Grand Rapids. She was the wife of Charles C. Searls, to whom she was married July 8, 1849, their sixtieth wedding anniversary being celebrated last summer. Besides her husband she is survived by the daughter, Mrs. Fitch, and one son, John W. Searls, of this place. The remains were taken to Detroit for cremation.

UNIQUE WATCH PARTY.

It is reported that some of the young men of the village enjoyed rather a unique and interesting watch party last Friday evening. We are unable, however, to get the complete details of the affair for publication this week.

ANNUAL NURSERY MEETING.

The Avonmore Cooperative Nursery Co., Ltd., will be held at Hawley & Warner's hall Monday, Jan. 10th at 10 a. m. There are several important matters to come up and every member is urged to be present. As usual it will be an interesting and important meeting and the public is general invited.

G. E. PRATER, Gen. Mgr.

GRAPE GROWERS PLAN TO ORGANIZE

Enthusiastic Meeting at Lawton Last Week. Could Not Agree.

UNIFORM PACKING DESIRED

Other Meetings Are Announced Looking to the Final Combination of All Societies.

A meeting of grape growers was held at Lawton, December 29, to discuss the advisability of centering all forces into one general organization of the entire belt, by which the competition that now exists among the several associations and grape handlers might be eliminated and the matter of packing brought to such a standard as to place Van Buren county at the pinnacle of superiority on the markets. We have for years suffered through careless and negligent packing and under the present system there seems to be little chance of improvement. In fact, to the close observer there seems to be inclination toward cheapening the cost of harvesting rather than improving the value of the crop by proper methods. The incentive to grow a really fine article becomes less when your careless neighbor receives an equal price with yourself.

The attendance was large. The town hall was filled with interested grape growers until standing room was at a premium. The various conditions heretofore mentioned were fully discussed by the nearly 500 growers present. An attempt was made to bring about some combination of the now existing organizations whereby an equal price would be quoted and a uniform pack guaranteed, but to no avail. Each one was willing to accept the whole county as members, but did not wish to change their present methods. Mr. Ducham of the Southern Michigan association stated that while he greatly desired the people to enter on that organization, he did not want to stand in the way of the one thing that was needed in the belt, general organization, and was ready to come in as a grower and do all he could for what he deemed the only thing that would insure just returns for the vineyardists' toil. Many representative growers from the various organizations expressed their belief in and desire for one organization. The reasons given were not only the suppression of competition, whereby better prices could be maintained for the same article, but the fact that in so large an organization a schedule of grades could be made and maintained that would enable the painstaking grower to reap the results of his special efforts by having sufficient painstaking members at his loading station to fill full cars of straight selects. The question of varieties could also be handled to better advantage. Frequently full cars of certain varieties are wanted, but from the fact that in order to fill a car all at that station are needed, the order is not filled on account of divided membership. Were they all in one organization, it would be an easy matter.

The many points that were brought out so emphatically demonstrated the need of one central organization that a request was made for a rising vote of all present who were willing to lay aside all prejudice by reason of their membership in one of the existing organizations and meet on common grounds under one head as growers of Van Buren county. Did they all get up? No! One man opposed it, some few remained in their seats, but it is safe to say that 95 per cent of those present arose in a mass. The sentiment was unanimous.

We want to organize under a set of rules that will insure our goods being shipped with their equal in value and uniformly inspected at each and every loading point. We want an organization that shall be known as covering the entire belt; one in which each and every loading station, no matter how small, will be represented and to whose credit the goods shipped therefrom shall be given.

With a little discussion on the means of procedure of organization, it was decided, in order to have every station represented and given an equal voice in the forming of the final organization, to hold meetings at as many loading stations as possible, explaining the plans and having each station select delegates to a final meeting whose object would be the formation of rules and regulations under which the organization would be governed. With this end in view the following committee were selected to arrange and attend the meetings at the various places:

Lawton, D. L. Thornton, Chas. Stainton; Paw Paw, L. E. Shepard, G. E. Prater, Jr.; Mattawan, A. H. Campbell; Marcellus, C. L. Kester; Decatur, M. S. Thomas; Lake Oka, F. E. Morrill; Lawrence, M. S. Fuller; Hartford, George Mutchler; Schoolcraft, J. L. Clark.

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